
Board Authority	The Board has final authority to determine and interpret the policies that govern the ESC. Board action shall be taken only in meetings that comply with the Open Meetings Act. [See BE(LEGAL)]
Transacting Business	When a proposal is presented to the Board, the Board may hold a discussion and reach a decision. Although there may be dissenting votes, which are a matter of public record, each Board decision shall be an action by the whole Board binding upon each member.
Individual Authority for Committing the Board	Board members as individuals shall not exercise authority over the ESC, its property, or its employees. Except for appropriate duties and functions of the Board President, 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 or her official capacity, shall have the right to seek information pertaining to ESC fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the general public in accordance with Texas Government Code Chapter 552 (Public Information Act).
Limitations	<p>If a Board member is not acting in his or her official capacity, the Board member has no greater right to ESC records than a member of the public.</p> <p>An individual Board member shall not have access to confidential student records unless the member is acting in his or her official capacity. Personally identifiable information in education records may be released, without the written consent of the student's parents, only to a Board member who has a legitimate educational interest in the education records. [See EG]</p> <p>A Board member who is denied access to a record under this provision may ask the Board to determine whether the record should be provided or may file a request under the Public Information Act.</p>
Requests for Records	An individual Board member shall seek access to records or request copies of records from the Executive Director or other designated custodian of records. When a custodian of records other than the Executive Director provides access to records or copies of records to an individual Board member, the provider shall inform the Executive Director before records are provided unless the records pertain to the Executive Director.
Requests for Reports	No individual Board member shall direct or require ESC employees to prepare reports derived from an analysis of information in existing ESC records or to create a new record compiled from information in existing ESC records. Directives to the Executive Direc-

tor or other custodian of records regarding the preparation of reports shall be by Board action.

Confidentiality

At the time a Board member is provided access to confidential records or to reports compiled from such records, the Executive Director or other ESC employee shall advise the Board member of the responsibility to comply with confidentiality requirements.

A Board member shall maintain the confidentiality of information, documents, and records received from the ESC as required by the Family Educational Rights and Privacy Act (FERPA) of 1974 (20 U.S.C. 1232g) and any other applicable privacy laws.

**Referring
Complaints**

If employees or members of the public bring concerns or complaints to an individual Board member, he or she shall refer them to the Executive Director or another appropriate administrator, who shall proceed according to the applicable complaint policy. [See (LOCAL) policies at DGBA and EF]

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.